



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 19-009

**AN ORDINANCE AMENDING CHAPTER 14 BUILDING AND BUILDING REGULATIONS, SEC. 14.316 PLUMBING; ROOF TRUSSES; ELECTRICAL WORK, SEC. 14.05(e) CONTROVERSIAL OR DISPUTED STREET NAMES, SEC. 14.512 ADMINISTRATIVE PROVISIONS, AND TO AMEND CHAPTER 2.214(d)(2)&(3)&(4)&(5) STANDING COMMITTEES, AND TO AMEND CHAPTER 10 ANIMALS TO INCLUDE SECTIONS 10.122(d)(1)&(2)&(g) KENNELS, SECTION 10.123(d)(1)&(2)&(3)&(4)&(g) ANIMAL FANCIERS, SECTION 10.205(a)&(b)&(c) DANGEROUS ANIMALS, SECTION 10.207(b) IMPOUNDMENT, SECTION 10.301(d)&(d)(1) HUNTING, PERMITTED ACTIVITY ZONES, AND TO AMEND CHAPTER 18 BUSINESSES TO INCLUDE SECTION 18.148(c)&(k)&(q) MOBILE FOOD VENDORS LICENSE, AND TO AMEND CHAPTER 34 FIRE PREVENTION AND PROTECTION TO INCLUDE SECTION 34.306(c) SERVICE FEES AND TO AMEND CHAPTER 54 OFFENSES & MISCELLANEOUS PROVISIONS TO INCLUDE SECTION 54.116(e)(1)(e) ESCORTS AND ESCORT SERVICES.**

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: The following subsections of Chapter 14 Building and Building Regulations, Article III. *Administration and Enforcement*, Division 2. *Permits and Fees* and Article V. *Housing and Building Numbering*, Chapter 2.214(d)(2)&3&4&5 *Standing Committees*, Chapter 10 *Animals*, Section 10.122(d)(1)&(2)&(g) *Kennels*, Section 10.123(d)(1)&(2)&(3)&(4)&(g) *Animal Fanciers*, Section 10.205(a)&(b)&(c) *Dangerous Animals*, and Section 10.207(b) *Impoundment*, Section 10.301(d)&(d)(1) *Hunting, Permitted Activity Zones*, and Chapter 18 *Businesses*, Section 18.148(c)&(k)&(q) *Mobile Food Vendors License*, Chapter 34.306(c) *Fire Prevention and Protection, Service Fees* and Chapter 54 *Offenses & Miscellaneous Provisions* Section 54.116(e)(1)(e) *Escorts and Escort Services* are hereby amended to read as follows:

**Sec. 14.316. Plumbing; roof trusses; electrical work.**

- (a) **Plumbing.** All plumbing must be done by a plumber licensed by the State of Wisconsin.
- (b) **Roof trusses.** All trusses must be state approved for 40-pound snow load.
- (c) **Electrical.** All electrical work must be done by an electrician licensed by the State of Wisconsin unless excepted by Wis. Stat. §101.862(4)(a) through (q).

**Sec. 14.505. Street Naming.**

- (e) *Controversial or Disputed Street Names.* The Planning and Development Director shall have the discretion to refer any disputed street name, addressing issues, or controversial street name changes to the Public Safety Committee Plan Commission for resolution.

**Sec. 14.512. Administrative Provisions.**

- (b) *Appeals.* Appeals concerning interpretation or administration of this Ordinance may be filed by any affected person. Such appeals shall be filed within a reasonable time of the action being appealed, not to exceed thirty (30) days, by filing with the Director of Planning and Development a Notice of Appeal specifying the grounds of the appeal. The Director shall schedule the item for review by the Public Safety Committee Plan Commission at their next available meeting to be commenced within a reasonable period of time after receipt of a completed Notice of Appeal and give due notice to any affected party. The Director shall transmit to the Public Safety Committee Plan Commission all papers that constitute the record upon which the action appealed was taken. The Public Safety Committee Plan Commission shall decide the appeal. The decision of the Public Safety Committee Plan Commission may be appealed to the Board of Trustees.

Enforcement actions may not be appealed.

**Sec. 2.214. Standing committees.**

(2) **Human Resources.**

- a. Advise the board regarding potential and pending litigation involving the Village.
- b. In cooperation with the Administrator, recommend for Board consideration policies and procedures regarding personnel issues of the Village.
- c. Oversee the selection of contract services for labor negotiation services.
- d. Monitor, in cooperation with the Administrator, the general personnel policies for the Village, including such things as sick leave, vacations, holidays and leaves of absence.
- e. In cooperation with the Administrator, review and make recommendations for additions and deletions of positions to the Board and make recommendations regarding disciplinary actions involving Village employees.



f. Make recommendations to the Board for establishment of a village safety program and, after such a program is in place, supervise such program.

fg. Act on all matters so enumerated in the Village of Weston Employee Policy and Procedure Manual as being assigned to the Human Resources Committee.

gh. Consider any other matter the Board may refer.

(3) **Public Works and Utility Committee.**

- a. Review and recommend a property and infrastructure budget to the Administrator and Finance Committee.
- b. In cooperation with the Administrator, recommend Board consideration of appropriate policies and procedures regarding public works, utility operations, property and buildings operations and the delivery of services to the public.
- c. Coordinate the Village's refuse collection activities.
- d. Recommend actions regarding use and maintenance of Village streets.
- e. Review and finalize the annual capital improvements program.
- f. Review bidding documents and requests for proposals for capital projects for public works projects. Review contractor proposals and bids for all authorized public works construction, and recommend contract awards to the Board for appropriate action.
- g. Be responsible for the construction and maintenance of all Village streets and sidewalks, the operation and maintenance of all sewer and water systems, and make appropriate recommendations to the board regarding the operation, maintenance and improvements to such systems.
- h. Develop and recommend policies and guidelines for public works projects and activities such as special assessments.
- i. Review and approve any unusual requests for use of village buildings.
- j. Review and recommend any proposed changes, improvements, remodeling, additions, etc., to the municipal building, other village buildings or other property.
- k. Recommend policy guidelines regarding public improvements.

- l. Mediate disputes between property owners and the Village regarding public improvements.
- m. Review bidding documents and requests for proposals (RFPs) for municipal building projects. Review contractor proposals and bids for all authorized municipal building construction and recommend contracts to the board for appropriate action.
- n. Review traffic and pedestrian safety matters and recommend needed action for Board approval.
- o. Develop emergency operation plans.
- np. Consider any other matter the Board may refer.

~~(4) Public Safety Committee.~~

- ~~a. Review traffic and pedestrian safety matters and recommend needed action for Board approval.~~
- ~~b. Advise the Board on policies for police and fire protection and advise the Board and Plan Commission on revisions in the Village's building, health and safety codes.~~
- ~~c. Advise the Board on matters concerning the police department, fire department and emergency services programs.~~
- ~~d. Review and recommend Board action regarding proposed state legislation impacting upon the Village and its residents.~~
- ~~e. In cooperation with the Administrator, recommend to the Board appropriate policies and procedures regarding public safety operations and the delivery of such services to the public.~~
- ~~f. Make recommendations to the Board for establishment of a village safety program and, after such a program is in place, supervise such program.~~
- ~~g. Ensure cooperation between the Everest Metro Police Department and the S.A.F.E.R.(South Area Fire and Emergency Response) Fire Department for the efficient provision of emergency services.~~
- ~~h. Consider requests for new retail alcohol licenses, review retail alcohol violations relating to licensing, develop alcohol related policies and make recommendations to the Village Board.~~

- i. ~~Consider any other matter the Board may refer.~~

**(54) Parks and Recreation Committee.**

- a. Prepare and maintain long-range plans for parks and recreational facilities.
- b. Recommend the acquisition, purchase, acceptance by gift, sale or such other disposition of property and/or equipment to the Board for appropriate action.
- c. Prepare and submit grant applications to the appropriate agencies for the acquisition and development of parks and recreational facilities.
- d. Operate and maintain the Village park and recreational trail system.
- e. Review and recommend a parks and recreation budget to the Administrator and Finance Committee.
- f. In cooperation with the Administrator, recommend Board consideration of policies and procedures regarding parks and parkway operations and the delivery of such services to the public.
- g. In cooperation with the Community Development Authority govern, manage, improve and care for all public parks and parkways located within the Village.
- h. Consider any other matter the Board may refer.

**(65) Community Development Authority.**

- a. ***Need.*** The Village declares that a need for blight elimination, slum clearance, urban renewal programs and community development projects and housing projects exists in the Village of Weston.
- b. ***Creation.*** Pursuant to Wis. Stat. § [66.1335](#) the Village hereby creates a housing and community development authority which shall be known as the “Community Development Authority” of the Village of Weston. It is a separate body politic for the purpose of carrying out blight elimination, slum clearance, urban renewal programs and projects and housing projects.
- c. ***Powers and Duties.*** The Community Development Authority has all powers, duties and functions set out in Wis. Stats. §§ [66.1201](#) and [66.1333](#) for housing and redevelopment authorities. As to all housing projects initiated by the Community Development Authority it shall proceed under Wis. Stat. § [66.1201](#). As to all projects relating to blight elimination, slum



clearance, urban renewal and redevelopment programs the Community Development Authority shall proceed under Wis. Stats. §§ [66.1105](#), [66.1301](#) to [66.1329](#), [66.1331](#), or [66.1337](#) as determined appropriate by the Village Board on a project by project basis. As to all Community Development Programs and activities undertaken by the Village under the [Federal Housing and Community Development Act of 1974](#), the Community Development Authority shall proceed under all applicable laws and ordinances not inconsistent with the laws of this state. The Community Development Authority shall act as agent of the Village to perform all acts, except the development of the general plan of the Village, which may be otherwise performed by the plan commission under Wis. Stats. §§ [66.1105](#), [66.1301](#) to [66.1329](#), [66.1331](#) or [66.1337](#).

- d. ***Other Functions.*** In addition to the above duties, the Community Development Authority, as an agent of the Village, shall carry out the following additional functions:
  - 1. Provide oversight and development of the Village's business and industrial parks which include business recruitment, land sales, grant development, and park design;
  - 2. Provide technical support and counsel in the administration of revolving loans fund for business development; and
  - 3. Recommend policy to the Village Board on the enhancement of Village infrastructure and zoning policy to spur economic growth.
- e. ***Appointment of Members.*** The Village President shall, with the confirmation of the Board, appoint seven (7) resident persons having sufficient ability and experience in the fields of urban renewal, community development and housing, as Commissioners of the Community Development Authority. Two (2) of the Commissioners shall be members of the Board and shall serve during their term of office as Board trustees. The terms of non-Board members shall be four (4) years.
- f. Consider any other matter the Board may refer.

#### **Sec. 10.122. Kennels.**

##### **(d) *Grant or denial of license.***

- (1) The ~~Public Safety Committee Plan Commission~~ shall review the application and shall make a recommendation to the Board of Trustees whether to grant or deny the license based on the material submitted in the application, the

submitted operational plan and its compliance with Chapter 94 Article 4 Sec. 94.4.05(12), Chapter 94 Article 16 Secs. 94.16.04 and 94.16.06.

- (2) The Village Board, after receiving a recommendation from the ~~Public Safety Committee~~ Plan Commission, shall vote to grant or deny the license. In addition to the operational plans of subsection (f) below, the ~~pPlan eCommission~~, ~~Public Safety Committee~~ or board may impose additional conditions on the grant of any license under this section; and failure to comply with such conditions may be cause for revocation of the license.
- (g) *Term of license.* Licenses issued under this subsection shall expire annually on June 30. Renewals of licenses may be granted by the Village Board after recommendation by the ~~Public Safety Committee~~ Plan Commission.

**Sec. 10.123. Animal Fanciers.**

(d) *Grant or denial of permit; Notice.*

- (1) Following review and approval by the Humane Officer, ~~the Public Safety Committee~~ Plan Commission shall review the application and shall make a recommendation to the Board of Trustees on whether to grant or deny the license.
- (2) The ~~Public Safety Committee~~ Plan Commission may, but is not required to hold a hearing before deciding whether to recommend to the Village board to grant or deny a license under this section. If the ~~Public Safety Committee~~ Plan Commission chooses to hold a hearing, a copy of the notice of the meeting at which the hearing will be held shall be mailed to the owners of property within 300 feet of the applicant's property and the owners of the property immediately across the street at least 14 days prior to the hearing.
- (3) If the ~~Public Safety Committee~~ Plan Commission does not hold a public hearing on the license application, a copy of the meeting notice at which the application will be acted upon shall be mailed to the owners of property within 300 feet of the applicant's property and the owners of property immediately across the street at least 7 days before the meeting.
- (4) The Village board, after receiving a recommendation from the ~~Public Safety Committee~~ Plan Commission, shall vote to grant or deny the license. In addition to the operational plans of subsection (f) below, the ~~pPlan eCommission~~, ~~Public Safety Committee~~ or board may impose additional conditions on the grant of any license under this section; and failure to comply with such conditions may be cause for revocation of the license.



- (g) *Term of license.* Licenses issued under this subsection shall expire annually on December 31. Renewals of licenses may be granted by the Village Board after recommendation by the ~~Public Safety Committee~~Plan Commission.

## ARTICLE II DANGEROUS ANIMALS

### Sec. 10.205. Appeal process for dangerous and prohibited dangerous animal.

- (a) Whenever an owner or caretaker wishes to contest an order of the chief of police or the chief's designee to declare an animal dangerous under subsection (c) or prohibited dangerous under Sec. 10.204, he or she shall, within seventy-two (72) hours after receipt of the order, deliver to the Village Clerk, a written objection to the order, addressed to the ~~Public Safety Committee~~Village Board, stating specific reasons for contesting the order. Upon receipt of the written objection, the matter shall be placed on the agenda for the ~~Public Safety Committee~~Village Board to be reviewed at the next regular meeting. The ~~Public Safety Committee~~Village Board shall act as a quasi-judicial body allowing the animal's owner or caretaker an opportunity to present evidence as to why the animal should not be declared dangerous or prohibited dangerous.
- (b) After the hearing, the owner or caretaker shall be notified of the ~~Public Safety Committee's~~Village Board's determination.
- (c) If the owner or caretaker wishes to further contest the determination, he or she may, within five (5) days of receiving the ~~Public Safety Committee's~~Village Board's decision, seek a review of the decision by the circuit court.

### Sec. 10.207. Impoundment.

- (a) Pending any investigation as to whether an animal is a dangerous or prohibited dangerous animal or pending a hearing on an appeal under Sec. 10.205 of either determination, the animal must be securely confined in a humane manner either on the premises of the owner or caretaker or with a licensed veterinarian. The owner or caretaker of any animal impounded on the premises of the owner or caretaker must comply with the restrictions set forth in Sec. 10.203(c) and (e)-(g). The chief of police or the chief's designee may order impoundment of the animal pending his/her investigation and through any appeal hearing under Sec. 10.205, pursuant to Wis. Stat. § 173.13(1). If an animal is determined to be dangerous, it may remain impounded until the owner or caretaker has complied with all restrictions set forth in Sec. 10.203 or until such time as the chief of police or the chief's designee determines the animal may be safely returned to its owner or caretaker and upon payment of all costs and expenses under Sec. 10.207(b). If an animal is



determined to be a prohibited dangerous animal, it may remain impounded until the owner or caretaker provides the police department adequate assurances that the animal will be removed from the village as provided in Sec. [10.204\(b\)](#) and upon payment of all cost and expenses under Sec. [10.207\(b\)](#). Any animal that has been impounded and remains unclaimed by its owner or caretaker for more than seven (7) days after written notice by certified mail has been sent to the owner or caretaker to his/her last known address advising that a determination has been made that the animal may be returned to the owner or caretaker upon compliance with the requirements of this subsection may be humanely euthanized pursuant to Wis. Stat. § [173.23](#).

- (b) The owner or caretaker of the animal shall be liable to the village for the costs and expenses of impounding an animal unless the chief of police or the chief's designee fails to declare the animal dangerous or prohibited dangerous or the determination is ultimately overturned by the ~~Public Safety Committee~~[Village Board](#) or a reviewing court.
- (c) The owner or caretaker of an animal confined on the premises under Sec. [10.207\(a\)](#) shall immediately notify the police department if the animal is loose, unconfined, has attacked or bitten or injured another animal, or has attacked, bitten or injured a human being or has died. The animal shall not be sold or given away during the confinement or impoundment period.
- (d) The chief of police or the chief's designee shall make a reasonable attempt to promptly notify the owner or caretaker in writing of any impoundment under this subsection if he or she can be identified and located with reasonable effort. Mailing written notice to the owner's or caretakers last known address shall satisfy this requirement.

#### **Sec. 10.301. Permitted activity zones.**

- (a) **Map.** The non-restrictive zone shall be as depicted on the most current official "Village of Weston Non-restrictive Hunting Zone Maps" created July 2015 or its successor.

Any parcel which is contained within the "Non-restrictive" zone on the most current Village of Weston Non-restrictive Hunting Zone Map is eligible for non-restrictive hunting as per the definition of Sec. [10.300\(b\)\(2\)](#)

- (b) **Conformity.** All hunting shall be in conformity with Wisconsin State Statute [Chapter 29](#) "Wild Animals and Plants" and regulations as established by the Wisconsin Natural Resources [Code NR 10](#), and United States Fish and Wildlife Agency.

All hunting shall be in conformity with the uses permitted according to Chapter 94 (Zoning) and Chapter 54 (Offenses and Miscellaneous Provisions) of the Municipal Code of the Village of Weston.

- (c) ***Bow and crossbow hunting – Restrictions.*** Bow and crossbow hunting are permitted throughout the village, but not on any municipality owned or leased land, and not within 100 yards of any permanent building or structure used for human occupancy on another person's land. This distance restriction does not apply if the person who owns the land on which the building or structure is located allows the hunter to hunt within 100 yards of the building or structure. All bows and crossbows shall be discharged toward the ground (e.g. from a tree stand).
- (d) ***Special permits.*** In ***Archery Zones***, special permits for unrestricted small game, waterfowl, and large game hunting may be granted upon application to the Village Board through the Village of Weston ~~***Parks and Recreation Committee***~~ ***Community Life & Public Safety Committee***. Such permits shall be valid from July 1 to June 30 of each year and shall cover the Wisconsin small game season, waterfowl season, and big game hunting season including "special" seasons. Small game and waterfowl season hunting restrictions shall also apply to these permits.

Archery zoned ***Special Permits*** shall be restricted to; rimfire rifles and handguns; air rifles; and shotguns firing shot size and type as permitted by the Wisconsin Department of Natural Resources.

- (1) Applications for ***Special Hunting Permit(s)*** shall be submitted to the Village of Weston Community Life & Public Safety Committee for their review and recommendation at the next available meeting.

The application will be reviewed by the ~~***Community Life & Public Safety***~~ ***Parks and Recreation*** Committee to assess the location of the area to be hunted, the terrain, vegetation density, its proximity to; residences, businesses, schools, commercial structures, public parks, major roadways, and the probability of stray shots striking persons, or structures.

The Village Board of the Village of Weston shall have the final authority to grant or deny such permits.

An applicant may appeal the denial of a special hunting permit to the Village of Weston, Village Board.

- (2) Applicants must own, lease, or have written permission from the owner of a parcel of land located in one of the "archery zones" as delineated in the official "Village of Weston Designated Hunting Zones" created August 2014 or its successor.



- (3) That parcel of land must be zoned AG (Agriculture), RR-5 (Rural Residential, 5 acres) RR-2 (Rural Residential) greater than or equal to 2.75 (two and three quarters) acres. Changes in zoning which remove the permitted parcel from any of the above listed zones shall render the permit null and void.

Sec. 18.148. Mobile Food Vendors License.

- (a) **Purpose.** It is a lawful purpose of the board to enact regulatory ordinances protecting and promoting the general welfare, health and safety of its citizens. The board deems it necessary to require licensing and regulation of Mobile Food Vendor units.
- (b) **Definitions.** The following definitions shall apply in the interpretation and enforcement of this Article:
  - (1) “**Charitable Organization**” means any patriotic, philanthropic, social service, welfare, benevolent, educational, civic or fraternal, person, partnership, association or corporation that is validly registered under Wis. Stat. § [440.42](#).
  - (2) “**Farmers’ Market**” means the days the Village of Weston provides a time and space for vendors to peddle, vend, sell, serve, display, offer to sell or give away a good, product or food.
  - (3) “**Licensee**” means an applicant who has obtained a license to conduct a mobile food vending operation pursuant to this Article.
  - (4) “**Mobile Food Vending Unit**” means any motorized or non-motorized vehicle, trailer, kiosk, pushcart, pedal cart, stand, display, carried container, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which food and/or beverages are being peddled, vended, sold, served, displayed, or offered for sale or given away. This definition does not include a mobile wholesale delivery unit, a vehicle which is used solely to transport or deliver food, or a common carrier regulated by the state or federal government.
  - (5) “**Mobile Food Vendor**” means a person who peddles, vends, sells, serves, displays, offers to sell or give away food or beverages from a mobile food vending unit.
  - (6) “**Public Streets**” used in this Article means any highway, street, or alley located within the corporate limits of the Village of Weston.
  - (7) “**School Property**” means all property owned or operated by a public school as defined in Wis. Stat. § [115.01\(1\)](#) or owned or operated by a private school as defined in Wis. Stat. § [118.165](#), grades kindergarten through twelve (12).

- (8) “*Sidewalks*” includes paved walkways and boulevards within the right-of-way within the corporate limits of the Village of Weston.
- (9) “*Vending*” means peddle, vend, sell, serve, display, offer to sell or give away food or beverages.
- (c) ***License Required.*** It shall be unlawful for any person or persons to operate a mobile food vendor unit, except as provided within this Article, and without first having obtained a license from the Village Clerk. ~~No license to operate a mobile food vendor unit shall be issued without the Village Board of Trustee’s approval.~~
- (k) ***Term.*** Licenses shall be issued on an annual basis beginning on ~~July~~ April 1 and expiring on ~~March 31~~ June 30, ~~or a 6-month basis beginning on April 1 and expiring on September 30 or a beginning on October 1 and expiring on March 31, subject to subsection (k).~~ There shall not be prorated fees or other reductions for applications.
- (q) ***Suspension, Revocation or Non-Renewal.***
- (1) The ~~Public Safety Committee~~ Village Board may ~~make a recommendation to suspend, or revoke or fail to renew~~ a license issued under this Article ~~to the Village Board.~~ Cause for suspending, ~~or~~ revoking ~~or non-renewal of~~ a license shall include one of the following reasons:
- i. Violation by licensee, its manager or an employee of a provision of this Article, Chapter 94 or any other municipal ordinance applicable to the business of the licensee.
  - ii. Violation of the Marathon County Health Department, the State food and health regulations, or any other regulations relating to the handling and serving of food to the general public.
  - iii. Fraud, misrepresentation or false statements contained in the license application submitted under this article or made in carrying on the business of the licensee.
  - iv. Conviction of the licensee, its manager, or an employee of a felony or misdemeanor substantially related to the mobile food vending operation.
  - v. Conducting mobile food vending operations in such a manner as to constitute a menace to the health, safety and welfare of the general public.
- (2) *Appeal of the decision of the Village Board.* ~~a~~Appel the denial of the license



through the appeal procedure provided by ordinance or resolution of the Village Board, or if none has been adopted, then under the provisions of Wis. Stats. §§ [68.07 through 68.16](#).

- (3) No applicant who has had a license denied, or licensee who has had their license suspended, or revoked ~~or non-renewed~~ may make any further application for a license under this Chapter for a one-year period.

### **FIRE PREVENTION AND PROTECTION\***

#### **Sec. 34.306. Service Fees.**

- (a) The provisions of this Chapter shall not apply to any newly installed Fire Alarm System for a period of forty-five days (45) from the date of installation. In an existing building the forty-five (45) days begin when the installation of the new system is completed. In new construction the forty-five (45) days begin when the installation of the system is completed and an occupancy permit is issued. The provisions of this Chapter shall apply from and after the expiration of the initial forty-five (45) day period following the issuance of the occupancy permit and/or completed installation.
- (b) Should any Service Fee assessed pursuant to this Chapter remain unpaid in excess of thirty (30) days, a Late Fee shall be assessed and shall be payable in addition to the Original Service Fee.
- ~~(e) The Service Fees established by this Chapter shall be calculated periodically based on employee labor rates, equipment costs and the Department service costs and established by the South Area Fire & Emergency Response District Board of Directors. Village Public Safety Committee via a fee schedule adopted by the Village Board.~~

#### **Sec. 54.116. Escorts and Escort Services.**

##### **(e) *Standards for license issuance.***

- (1) To receive a license to operate an escort service, an applicant must meet the following standards:
  - a. If the applicant is an individual:
    - i. The applicant shall be at least eighteen (18) years of age;
    - ii. Subject to Wis. Stats [Chapter 111](#), the applicant shall not have been convicted of or pleaded *nolo contendere*, or no contest, to a felony or

any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;

- iii. The applicant shall not have been convicted of a felony, misdemeanor or ordinance violation which substantially relates to the licensed activity;
  - iv. The applicant shall not have been found to have previously violated this ordinance within five (5) years immediately preceding the date of the application.
- b. If the applicant is a corporation:
- i. All officers, directors and others required to be named under Sec. 54.116(d)(2) shall be at least eighteen (18) years of age;
  - ii. Subject to Wis. Stats. [Chapter 111](#), no officer, director or other person to be named under Sec. 54.116(d)(2) shall have been convicted of or pleaded *nolo contendere*, or no contest, to a felony or any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;
  - iii. No officer, director or other person required to be named under Sec. 54.116(d)(2) shall have been convicted of a felony, misdemeanor or ordinance violation which substantially relates to the licensed activity.
  - iv. No officer, director or other person required to be named under Sec. 54.116(d)(2) shall have been found to have previously violated this ordinance within five (5) years immediately preceding the date of the application.
- c. If the applicant is a partnership, joint venture or any other type of organization where two (2) or more persons have a financial interest:
- i. All persons having a financial interest in the partnership, joint venture or other type of organization shall be at least eighteen (18) years of age;
  - ii. No persons having a financial interest in the partnership, joint venture or other type of organization shall, subject to Wis. Stats. [Chapter 111](#), have been convicted of or pleaded *nolo contendere*, or no contest, to a felony or any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;



- iii. No persons having a financial interest in the partnership, joint venture or other type of organization shall have been convicted of a felony, misdemeanor or ordinance violation which substantially relates to the licensed activity;
- iv. No person having a financial interest in the partnership, joint venture or other type of organization shall have been found to have violated any provision of this ordinance within five (5) years immediately preceding the date of the application.
- d. No license shall be issued unless the Everest Metro Police Department has investigated the applicant's qualifications to be licensed.
- e. If any charges are currently pending which, if resulting in a conviction, would disqualify the applicant pursuant to subsections (e) (1) (a), (b) and (c) above, the ~~Community Life and Public Safety Committee~~Village Board may postpone action on the application until such time as the charge is resolved. Should the ~~Community Life and Public Safety Committee~~Village Board fail to act upon an application within sixty (60) days of the resolution of the charge, the application shall be deemed granted.

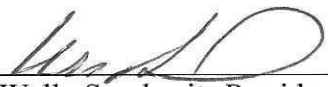
SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 19<sup>th</sup> day of August 2019

WESTON VILLAGE BOARD

By:

  
Wally Sparks, its President

Attest:



Sherry Weinkauff, its Clerk

APPROVED: August 19, 2019

PUBLISHED: August 21, 2019